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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR09-169-JCC  
10 v. )  
11 WALTER ANTHONY MOSES, ) SUMMARY REPORT OF U.S.  
12 Defendant. ) MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on September 13, 2011. The United States was represented by AUSA J. Tate London and the  
16 defendant by Thomas W. Hillier. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about January 8, 2010 by the Honorable John C.  
18 Coughenour on a charge of Theft by an Employee of a Gaming Establishment on Indian Land,  
19 and sentenced to credit for time served, three years supervised release.

20 The conditions of supervised release included the standard conditions plus the  
21 requirements that defendant abstain from the use of alcohol, not enter any establishment where  
22 alcohol is the primary commodity for sale, participate in a substance abuse program, submit to

01 search, participate in mental health treatment, participate in a home confinement program with  
02 electronic monitoring for 90 days, pay restitution in the amount of \$19,994, provide his  
03 probation officer with access to financial information, and be prohibited from incurring new  
04 credit charges or opening new lines of credit. (Dkt. 49.)

05 On January 20, 2011, defendant's probation officer reported that he had violated  
06 supervision by consuming alcohol and failing to make monthly restitution payments as  
07 directed. Defendant agreed to pay restitution payments on time by directing his per capital  
08 money received from the tribe toward the debt and participate in the Moral Reconciliation Therapy  
09 Program through Tulalip Tribal Services. No further action was taken at the time. (Dkt. 50.)

10 In an application dated August 8, 2011 (Dkt.52, 53), U.S. Probation Officer Angela M.  
11 McGynn alleged the following violations of the conditions of supervised release:

12 1. Failing to comply with substance abuse treatment as directed on or before July  
13 27, 2011, in violation of the special condition that requires the defendant to participate in  
14 substance abuse treatment as directed by the probation office.

15 2. Failing to pay restitution as directed, in violation of the special condition that  
16 requires the defendant to pay \$19,994 in restitution to the victim.

17 Defendant was advised in full as to those charges and as to his constitutional rights.

18 Defendant admitted the violations and waived any evidentiary hearing as to whether  
19 they occurred.

20 I therefore recommend the Court find defendant violated his supervised release as  
21 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next  
22 hearing will be set before Judge Coughenour.

01 Pending a final determination by the Court, defendant has been released on supervision.

02 DATED this 13th day of September, 2011.

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05 Mary Alice Theiler  
06 United States Magistrate Judge

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08 cc: District Judge: Honorable John C. Coughenour  
09 AUSA: J. Tate London  
10 Defendant's attorney: Thomas W. Hillier  
11 Probation officer: Angela M. McGynn  
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